IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 1683 of 2005

Between:

P.Madhuri, W/o.Ramesh, Occu: worked as early Child Education Instructor at M.P. Elementary School,
Chandrapadiya, Vinjamur Mandal, Nellore District.

..... PETITIONER

AND

1 District Collector and Magistrate, Nellore District at Nellore.
2 The Project Director, I.C.D.S, Nellore, Nellore District.
3 Smt.Ch.Padma Prasanna W/o.Mayadri, Anganwadi worker
Chandrapadiya, Vinjamur Mandal, Nellore District.
4 Child Development Project Officer I.C.D.S., Project, Vinjamur, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ order or direction more particularly one in the nature of writ of Certiorari, to call for the records relating to the order Dt.11.8.2004 in M.A.No.2433/2004 in O.A.No.9664/2002 on the file of A.P. Administrative Tribunal, Hyderabad and Quash the same as illegal, unjust and improper and consequently set aside the Proceedings Rc.No.10/02-03, dt.13.12.2002 and Proceedings Rc.No.10/AWW/2002, dt.13.2.2003 issued by the 4th respondent herein and consequently direct the official respondents to absorb the petitioner as Anganwadi worker converting from E.C.E Centre, Chandrapadiya Village, Vinjamur I.C.D.S

project, Nellore District and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstance of the case.

Counsel for the Petitioner: MR.M.V.NARASIMHAM

Counsel for the Respondent Nos.1,2&4: GP FOR SERVICES-II

Counsel for the Respondent No.3: None appeared.

The Court at the stage of admission, made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed against the order, dated 11.08.2004, passed by the A.P. Administrative Tribunal, Hyderabad, in M.A.No.2433 of 2004 in O.A.No.9664 of 2002.

2. The petitioner filed M.A.No.2433 of 2004 for implementation of the order, dated 18.11.2002, passed in O.A.No.9664 of 2002. However, it was noticed that for non-compliance of the orders, the petitioner filed C.A.No.1055 of 2002, which was closed on 23.04.2003 holding that there was sufficient compliance of the directions passed by the Tribunal in O.A.No.9664 of 2002 and on that ground the M.A. was also

dismissed.

3. The order passed by the Tribunal in M.A.No.2433 of 2004 is as follows:

> " This MA has been filed by the applicant seeking a direction to the respondents to implement the orders dated 18.11.2002 passed in O.A.N.9664/2002. The operative portion of the orders dated 18.11.2002 passed by the Tribunal in O.A.9664/2002 reads as follows:
>
> > " In the facts and circumstances present herein, the respondents are directed to pass appropriate orders with regard to the absorption of the applicants as Anganwadi workers, taking note of para 8 of the Annexure-I issued under G.O.Ms.No.49, Education Department, dated 2.5.2000. Such exercise shall be completed within two weeks from the date of receipt of a copy of this order".
>
> 2. CA 1055/2002 was filed by the applicant alleging that the respondents have committed contempt by violating the orders of the Tribunal as extracted above. While closing the CA on 23.4.2003 along with CMA and other CA, the Tribunal passed the following order:
>
> > " GP has filed counter and annexed the order dated 15.4.2003 to the counter. The orders of the Child Development Project Officer, ICDS, Project Officer, Vinjamur, Nellore District are sufficient compliance of the directions passed by the Tribunal in OA 9664/02 and OA 5/03. As such, the CA s are closed. If the applicants are aggrieved by the said orders, they can seek remedies available to them".
>
> 3. Learned counsel for the applicant states that in pursuance of the above orders dated 23.4.2003 passed in the C.A., the applicant has filed this MA seeking implementation of the orders dated 18.11.2002 issued in OA 9664/2002.
>
> 4. Having arrived at the conclusion that there is sufficient compliance of the directions issued by the Tribunal on 18.11.2002, no further directions can be given by the Tribunal directing the respondents to implement the orders of the Tribunal passed on 18.11.2002 in OA 9664/2002, which was the subject matter in CA 1055/02. In this view of the matter, the MA is dismissed. However, it is open to the applicant to pursue her remedies as available under law ".

4. In view of this, we do not find any ground to interfere with the order of the Tribunal.

5. Accordingly, the Writ Petition is dismissed. No costs.

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G. BIKSHAPATHY, J.

Date: 04.02.2005

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P.S. NARAYANA, J.

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To

1 The District Collector and Magistrate, Nellore District at Nellore.
2 The Project Director, I.C.D.S, Nellore, Nellore District.
3 The Child Development Project Officer I.C.D.S., Project, Vinjamur, Nellore District.

4 2 CCs to the G.P. for Services-II, High Court of A.P., Hyderabad (OUT).

5 2 CD copies